

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 36-38, 43-44 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse but have amended claim 36 to indicate that the translucent identification member authenticator comprises one or more processors that are operative to operate as claimed. As such, Applicants respectfully request withdrawal of the rejection.

Claims 1, 6, 57 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully traverse and note that FIG. 4, as well as FIG. 1, specifically illustrate a translucent identification member that does not have a corresponding filtering pattern thereon. Applicants also respectfully point the Examiner to at least paragraphs [0046], [0024], and [0057] among other portions of the specification which clearly describe the claimed translucent member. FIG 14 illustrates a differing translucent member that does include a filtering pattern thereon, but without the obscured identifier information thereon. Applicants respectfully submit that they were in possession of the claimed subject matter as clearly evidenced by the specification.

Claims 1-4, 6-9, 22-28, 52-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Goede (U.S. Patent No. 5,246,375). Applicants respectfully submit that it appears that the claim language has been misapprehended. Applicants have amended the claims to note that the assigned identification information is different from the plurality of obscured user identifiers that are on the translucent identification member. In addition, the claim has been amended to indicate that the identification information is on the translucent identification member at a different location from the plurality of obscured identifiers, such as shown, for example in FIG. 4 and elsewhere. In the example in FIG. 4, the identification information is the serial number 44.

The cited portions of the Goede reference do not contemplate any additional identification information that is on the translucent identification member at a location different from the obscured identifiers. In addition, the cited portion allegedly teaching assigning identification information to the one or more obscured identifiers (cited column 1, lines 44-47) only refers to the fact that the obscure identifiers may obscure a personal identification number. However, the personal identification number in Goede is actually part of the obscured user identifier matrix and is not at a different location. Applicants also respectfully reassert the relevant remarks made in their prior response. Accordingly, Applicants respectfully submit that claim 1 is in condition for allowance.

As to claim 2, the Office Action alleges that the Goede reference teaches to combine user specific information with other information to produce the obscured identifiers. The Office Action cites column 1, lines 58-61 and column 2, lines 45-47. However, Applicants are unable to find such a teaching. The cited portion of column 1 only states that there is a substrate and it is a frosted transparent plastic and that there is another recording means that is a paper sheet member. There is no discussion of what is used to actually generate the rows and columns of information. In addition, column 2 only refers to the memory aiding device 10 being made from plastic, paper or the like. Since the cited portions do not teach what is alleged, Applicants respectfully submit that that claims 2 and 7 are in condition for allowance.

As to claims 3 and 8, the Office Action cites column 2, lines 50-61 as allegedly teaching to use user specific information to produce the obscured identifiers. However, the cited portion does not describe the subject matter. Instead, the cited portion indicates that there is a location designating symbols such as letters disposed on the substrate in rows and columns as location designating symbols. There is no discussion of what is utilized to generate the information on the card. Accordingly, Applicants respectfully submit that this claim is also in condition for

allowance. As to claims 4 and 9, Applicants respectfully note that the claim has been amended to indicate that the plurality of the obscured users identifiers are generated using assigned identification information. (See, for example, paragraph [0044] and elsewhere in the specification.)

As to claim 22, this claim has been amended to include limitations of claim 28. Applicants respectfully reassert the relevant remarks made above. Applicants respectfully submit that this claim is also in condition for allowance.

As to claim 52, the Office Action, although providing some remarks for some responses to Applicants' arguments, failed to address Applicants' prior remarks. Applicants are unable to find the claimed subject matter in the cited portions of the reference. For example, the cited portions of column 2, lines 45-47 and column 1, lines 58-61 merely state that the card in Goede is transparent or frosted or colored or opaque. However, Applicants claim instead a translucent identification member that includes one or more obscured user identifiers, but also the first portion is different from the second portion containing transaction card identification information. The cited portions make no mention of such card identification information. As previously pointed out, the identification information may be, for example, a serial number or other translucent identification member identification information that is different from the obscured user identifiers. Goede does not teach the claimed subject matter and, as such, the claim is condition for allowance. The dependent claims also add additional novel and non-obvious subject matter and are also in condition for allowance.

Claims 11-20 and 29-51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Oksman et al. in view of Goede. The Goede reference requires two different members, a transparent substrate 12 and a recording means 22 (column 4, lines 30-52). A user places a mark at each individual cell that corresponds with one of the predetermined sequence elements in each

of the cells of the recording means 22. The Goede apparatus requires the two members 12 and 22 in order for the Goede system to work. As stated in column 3 lines 44-59, the user merely has to memorize a location H3 in order to correctly line up the recording means 22 with the substrate 12. The user has to memorize the coordinate which is always the same. Also the user is the one that decides which letters of the array on the recording means 22 identify the password of the user. The user for example colors in certain locations which when overlayed or underlayed with the card 12 indicate the users password for example. As such, instead of the user having to remember a 10 digit personal identification number, the user only needs to remember for example the combination D7 to locate a corner of the recording sheet 12 relative to a coordinate on a card 12. The recording sheet has boxes shaded that the user selected apriori to designate the positions that correspond to the personal identification number.

The Oksman reference teaches a completely different operation. It is alleged that one would employ the teachings of the method of Goede within Oksman in order to enhance security of the system. However, the teaching of Goede is incompatible with that of Oksman. The Oksman system renders Goede system inoperable since there is no recording sheet 22 required by Oksman but it is required by Goede. Also the identification member 12 of Goede (as alleged in the office action) could not be used in Oksman's since the transparent portion of Oksman namely screen 13 has different light transmission characteristics different from adjacent zones for example (column 3, lines 60-68). Such a structure would not operate with Goede and vice versa. Combining teachings of references that render a reference inoperable are improper. Applicants respectfully submit that the claims are not obvious as alleged.

The dependent claims add additional novel and not obvious subject matter.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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